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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/186,962    11/05/98    RHOADS

G    4830-50848/W

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WM31/0724

EXAMINER

CONSULT

ART UNIT

PAPER NUMBER

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Paper No. 22

Application Number: 09/186,962  
Filing Date: November 05, 1998  
Appellant(s): RHOADS, GEOFFREY B.

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Joel R. Meyer  
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed June 7, 2001.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

**(7) *Grouping of Claims***

Appellant's brief includes a statement that claims 2-21 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

**(8) *Claims Appealed***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) *Prior Art of Record***

4,977,594	SHEAR	12-1990
5,721,788	POWELL ET AL.	2-1998

**(10) *Grounds of Rejection***

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The following ground(s) of rejection are applicable to the appealed claims:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 2-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powell et al. (U.S. 5,721,788) in view of Shear (U.S. 4,977,594).

Powell discloses a method and system for digital image signatures.

With regard to claim 2, Powell describes obtaining audio or image files by downloading from plural computer sites (refer for example to column 1, lines 12-21 and column 2, line 60 through column 3, line 17); identifying plural of the obtained files having certain digital watermark data embedded therein, and decoding the digital watermark data there from (refer for example to column 5, line 49 through column 6, line 43); by reference to the decoded digital watermark data, determining proprietors of each of the plural files (refer for example to column 6, line 44 through column 7, line 14); and sending information relating of the foregoing monitoring to the determined proprietors (refer for example to column 1, lines 12-49 and column 5, lines 44-54); wherein the proprietors of audio or image files are alerted to otherwise unknown distribution of their audio or image properties on computer sites (refer for example to column 1, lines 12-49 and column 5, lines 44-54). The examiner would like to point out that applicant has defined watermarks as commercial applications of steganography which may be used to trace identify and locate digital media. Steganography is also defined as the hiding of secret messages within another seemingly innocuous message or carrier. Powell

describes using digital embedded signatures which are imperceptible to the human eye. These digital embedded signatures are exactly the same as the digital embedded watermark in applicant's claimed invention and certainly reasonably and properly encompasses the recited claimed language "watermark", which is in itself a subset of steganography.

Although Powell does not specifically state that the system is obtaining audio or image files from plural different Internet sites, the obtaining of audio or image files from plural different Internet sites is well known and widely utilized in the prior art.

Shear describes receiving a plural-bit encrypted identifier from a decoder that decodes same from an object (see figures 1, elements 100 and 200); providing the identifier to a remote database through the Internet (see figures 1, elements 100 and 200); receiving from the database a profile of a proprietor of the object, the profile including proprietor name and contact information (see figures 3, element 304, and refer for example to column 12, lines 49 through column 14, line 36). The "on-line" databases mentioned in Shear, such as "Dialog Information, Mead Data Central, Dow Jones Information Services, Compuserve, and many others", all correspond to the Internet and the usage thereof.

Given the teachings of the two references and the same environment of operation one of ordinary skill in the art at the time the invention was made would have been led in an obvious fashion to provide for using image data with an embedded watermark in a digital photographic image for the image signature as taught by Powell in the Shear system since both systems are primarily concerned with the usage of and protection of digital data using image signatures. This is an engineering design, which provides for modernizing, versatility and adaptability done to enhance the monitoring and enforcement of the use of digital images over a wider audience of the computer

field which fails to patentably distinguish over the prior art absent some novel and unexpected result.

In regard to claim 3, Powell describes decoding the digital watermark data with reference to public key data (refer for example to column 6, lines 18-43). Shear describes the usage of public key data (as clearly illustrated in figure 2).

With regard to claim 4, Powell describes decoding the digital watermark data with reference to private key data (refer for example to column 6, lines 18-43). Shear describes the usage of public key data (as clearly illustrated in figure 2).

As to claim 5, Powell describes identifying by including performing a domain transformation on data from at least certain of the files, yielding transformed data (refer for example to column 5, lines 29-36).

In regard to claim 6, Powell describes identifying by including performing a matched filtering operation on the transformed data (refer for example to column 6, lines 44-53).

With regard to claim 7, Powell describes a domain transformation (refer for example to column 5, lines 29-36). Although the domain transformation is not a 2D FFT transform, 2D FFT transforms are well known and have been widely utilized in both the image processing and computer areas since the beginning of computer processing, to use this particular well known and widely used type of transform would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of the Powell system.

As to claim 8, Powell describes a domain transform (refer for example to column 5, lines 29-36). Although the domain transformation is not a one-dimensional transform, to use this particular well known and widely used type of transform would

have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of the Powell system.

In regard to claim 9, Powell describes the identifying further includes generating column integrated scan data for at least one oblique scan through an obtained image, and performing a transformation thereon (refer for example to column 5, lines 29-36). Although the domain transformation is not a one-dimensional FFT transform, to use this particular well known and widely used type of transform would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of the Powell system.

With regard to claim 10, Powell describes the identifying includes transformation (refer for example to column 5, lines 29-36). Although the domain transformation is not one which computes power spectrum data, to use this particular well known and widely used type of transform would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of the Powell system.

As to claim 11, Powell describes low-pass filtering (refer for example to column 5, lines 29-36).

In regard to claim 12, Powell describes analyzing a spectral characteristic of at least certain of the obtained files to identify the possible presence of digital watermark therein (refer for example to column 6, lines 18-43).

In regard to claim 13, Powell describes screening the obtained files to identify a subset thereof, and undertaking the decoding operation only for files in the subset (as clearly illustrated for example in figure 2).

With regard to claim 14, Powell describes the screening includes detecting a pattern in the file (as clearly illustrated for example in figure 2).

As to claim 15, Powell describes the decoding includes performing at least one statistical analysis. (refer for example to column 6, lines 18-43).

In regard to claim 16, Shear provides obtaining includes automatic computer downloading of image or audio files, without specific human instruction of particular files to be downloaded (refer for example to column 1, lines 33-49).

With regard to claim 17, Powell describes the decoded watermark data provides a reference to a registry database, and the method further includes obtaining additional data from the registry database by use of the reference, the additional data identifying the proprietor of the file from which the watermark data was decoded (refer for example to column 1, lines 12-14 and column 5, lines 44-54).

As to claim 18, Powell describes generating reports relating to results of the monitoring, and sending the reports to the determined proprietors (refer for example to column 1, lines 12-14 and column 5, lines 44-54).

With regard to claims 19-20, Powell describes obtaining audio or image files by downloading from plural computer sites (refer for example to column 1, lines 12-21 and column 2, line 60 through column 3, line 17); identifying plural of the obtained files having certain digital watermark data embedded therein, and decoding the digital watermark data there from (refer for example to column 5, line 49 through column 6, line 43); by reference to the decoded digital watermark data, determining proprietors of each of the plural files (refer for example to column 6, line 44 through column 7, line 14); and sending information relating of the foregoing monitoring to the determined proprietors (refer for example to column 1, lines 12-49 and column 5, lines 44-54); wherein the proprietors of audio or image files are alerted to otherwise unknown distribution of their audio or image properties on computer sites (refer for example to column 1, lines 12-49 and column 5, lines 44-54). The examiner would like to point out that applicant has



defined watermarks as commercial applications of steganography which may be used to trace identify and locate digital media. Steganography is also defined as the hiding of secret messages within another seemingly innocuous message or carrier. Powell describes using digital embedded signatures which are imperceptible to the human eye. These digital embedded signatures are exactly the same as the digital embedded watermark in applicant's claimed invention and certainly reasonably and properly encompasses the recited claimed language "watermark", which is in itself a subset of steganography.

Although Powell does not specifically state that the system is obtaining audio or image files from plural different Internet sites, the obtaining of audio or image files from plural different Internet sites is well known and widely utilized in the prior art.

Shear describes receiving a plural-bit encrypted identifier from a decoder that decodes same from an object (see figures 1, elements 100 and 200); providing the identifier to a remote database through the Internet (see figures 1, elements 100 and 200); receiving from the database a profile of a proprietor of the object, the profile including proprietor name and contact information (see figures 3, element 304, and refer for example to column 12, lines 49 through column 14, line 36). The "on-line" databases mentioned in Shear, such as "Dialog Information, Mead Data Central, Dow Jones Information Services, Compuserve, and many others", all correspond to the Internet and the usage thereof.

Given the teachings of the two references and the same environment of operation one of ordinary skill in the art at the time the invention was made would have been led in an obvious fashion to provide for using image data with an embedded watermark in a digital photographic image for the image signature as taught by Powell in the Shear system since both systems are primarily concerned with the usage of and

protection of digital data using image signatures. This is an engineering design, which provides for modernizing, versatility and adaptability done to enhance the monitoring and enforcement of the use of digital images over a wider audience of the computer field which fails to patentably distinguish over the prior art absent some novel and unexpected result.

In regard to claim 21, Powell describes obtaining audio or image files by downloading from plural computer sites (refer for example to column 1, lines 12-21 and column 2, line 60 through column 3, line 17); automatically identifying plural of the obtained files having certain digital watermark data embedded therein, and decoding the digital watermark data there from (refer for example to column 5, line 49 through column 6, line 43); by reference to the decoded digital watermark data, determining proprietors of each of the plural files (refer for example to column 6, line 44 through column 7, line 14); and sending information relating of the foregoing monitoring to the determined proprietors (refer for example to column 1, lines 12-49 and column 5, lines 44-54); wherein the proprietors of audio or image files are alerted to otherwise unknown distribution of their audio or image properties on computer sites (refer for example to column 1, lines 12-49 and column 5, lines 44-54). The examiner would like to point out that applicant has defined watermarks as commercial applications of steganography which may be used to trace identify and locate digital media. Steganography is also defined as the hiding of secret messages within another seemingly innocuous message or carrier. Powell describes using digital embedded signatures which are imperceptible to the human eye. These digital embedded signatures are exactly the same as the digital embedded watermark in applicant's claimed invention and certainly reasonably and properly encompasses the recited claimed language "watermark", which is in itself a subset of steganography.

Although Powell does not specifically state that the system is obtaining audio or image files from plural different Internet sites, the obtaining of audio or image files from plural different Internet sites is well known and widely utilized in the prior art.

Shear describes receiving a plural-bit encrypted identifier from a decoder that decodes same from an object (see figures 1, elements 100 and 200); providing the identifier to a remote database through the Internet (see figures 1, elements 100 and 200); receiving from the database a profile of a proprietor of the object, the profile including proprietor name and contact information (see figures 3, element 304, and refer for example to column 12, lines 49 through column 14, line 36). The "on-line" databases mentioned in Shear, such as "Dialog Information, Mead Data Central, Dow Jones Information Services, Compuserve, and many others", all correspond to the Internet and the usage thereof.

Given the teachings of the two references and the same environment of operation one of ordinary skill in the art at the time the invention was made would have been led in an obvious fashion to provide for using image data with an embedded watermark in a digital photographic image for the image signature as taught by Powell in the Shear system since both systems are primarily concerned with the usage of and protection of digital data using image signatures. This is an engineering design, which provides for modernizing, versatility and adaptability done to enhance the monitoring and enforcement of the use of digital images over a wider audience of the computer field which fails to patentably distinguish over the prior art absent some novel and unexpected result.

**(11) Response to Argument**

Appellant begins by his arguments on pages 5-8, by giving his interpretation of the Powell and Shear references respectively. Appellant also submits an exhibit showing the finer points of the distinction between steganography and digital watermarking. The examiner would like to state on the record that the claimed language "watermark" is so broad and sweeping of various technologies that it is used primarily in the field of banknotes or paper currency. The examiner would like to point out that Appellant has submitted an exhibit which defines digital watermarks "as commercial applications of steganography and may be used to trace, identify, and locate digital media across networks". The exhibit also defines steganography as "the hiding of secret messages within another seemingly innocuous message, or carrier". Powell describes using digital embedded signatures which are imperceptible to the human eye. These digital embedded signatures are used for auditing a subject image to determine whether the subject image is derived from the signed image. For all intent and purposes the digital embedded signature is exactly the same as the digital embedded watermark and certainly reasonably and properly encompasses steganographically embedded data".

Applicant's arguments with respect to the claims, specifically claim 2, appear on page 9. Applicant argues therein that neither Shear nor Powell teach the claimed elements, the examiner respectfully disagree. The claims basically recite a first and second computer and a network, the claim language does not distinguish that the computers to be different nor where they are located. The combination of the two references clearly teach a first and second computer and a network. The combination of the references also teach a computer having a first memory storing data representing a

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plurality of creator identifiers and creator contact data corresponding to each of the creator identifiers, both Shear and Powell teach this. Shear clearly provides Index information, encrypted database information, resident database access, authority access, log-on completion time, identification to billing site (see figures 1-6). Powell teaches auditing a subject image to determine whether the subject image is derived from the signed image (column 2, lines 39-41) and does so by comparing digital images or subtracting one digital image from the other (column 6, lines 44-61). Shear clearly describes and illustrates a network for communicating the revealed on the plurality of identifiers to obtain contact information corresponding to the identifier (see figure 2-3 and 5).

The examiner would like to point out that "the test for combining references is not what the individual references themselves suggest but rather what the combination of the disclosures taken as a whole would suggest to one of ordinary skill in the art" see In re McLaughlin, 170 USPQ 209 (CCPA) 1971. In the present case Powell clearly teaches that he is downloading an image from a remote site. While Powell does not specifically teach that the system is obtaining audio or image files from plural different Internet sites, the Powell system clearly infers that if the system obtains an image from one remote site at a certain time, then at a later time he can obtain another image from another remote site. While this alone may have been carried out by the single Powell reference, the examiner relied on a secondary reference, namely Shear, to show a system obtaining audio or image files from plural different Internet sites. Given these the teachings of the two references one of ordinary skill in the art at the time the invention

was made would have been led in an obvious fashion to provide for this specific limitation in the Powell system.

As to Appellant's arguments set forth on pages 10-11, with regard to claims 3 and 4, wherein applicant argues that no cited reference teaches, suggest or discloses the limitations of the claims, the examiner firmly disagrees. The cited references in combination properly and reasonably meet the claimed limitations as addressed in the rejection hereinabove. Applicant specifically asserts that "the combined teachings of Powell and Shear fail to teach" the "decoding the digital watermark data with reference to a public and private key data", the examiner firmly disagrees, as this aspect of applicant's claimed invention is set forth by Powell as described in column 6, lines 18-43, and Shear describes the usage of public key data (as clearly illustrated in figure 2). The combination of the two references have a multiplicity of computers which are primarily used for auditing purpose, one of ordinary skill in the art would understand that one computer creates the watermark while another examines the watermark., in fact the Shear reference does this for identifiers and index keys and Powell does this with a digital signature or digital watermark .

As to Appellant's arguments set forth on pages 11-12, with regard to claim 5, wherein appellant argues that the Powell reference does not teach nor suggest the limitation of the claim, namely that "a domain transformation is used", the examiner firmly disagrees as Powell clearly describes a transformation taking place in column 5, lines 29-36. One of ordinary skill in the art would know that a transformation converts data from one domain to another domain.

As to Appellant's arguments set forth on page 12, with regard to claim 6, wherein appellant argues that the Powell reference does not teach nor suggest the limitation of the claim, namely that "a matched filtering operation of transformed data", the examiner firmly disagrees as Powell clearly describes a filtering operation taking place in column 6, lines 44-53 and since comparison and matching is taking place in Powell the recited claimed language is properly and reasonably met.

As to Appellant's arguments bridging pages 12-13, with regard to claim 7, wherein appellant argues that the use of a 2D FFT transform in the Powell reference would not have been obvious, the examiner respectfully disagrees. Powell describes a domain transform (refer for example to column 5, lines 29-36). Although the domain transformation is not specifically a 2D FFT, 2D FFT transforms are well known and have widely utilized in both the image processing and computer areas since the beginning of computer processing. Therefore, to use this particular well known and widely used type of transform would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of the Powell system.

As to Appellant's arguments on page 13, with regard to claim 8, wherein appellant argues that the it would not have been obvious to the Powell reference to use a one-dimensional transform, and asserts that "Since Powell does not use a domain transform to identify files with embedded digital watermark data, it is not clear how the claimed use of a one dimensional domain transform for identifying files would have been obvious". The examiner would like to point out that the claim does not recite the specific language now being argued namely the "use a domain transform to identify files

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with embedded digital watermark data, it is not clear how the claimed use of a one dimensional domain transform for identifying files". What the examiner contends would have been obvious to one of ordinary skill in the art is the fact that in Powell there is a teaching of using a domain transform, to substitute a one-dimensional transform in it's place would have been obvious. Moreover, while Powell does not explicitly state whether the transform is one or two dimensional, the transform is one of the two choices, the other choice would have been obvious to one of ordinary skill in the art of image processing where one and two dimensional transforms are routinely utilized.

In regard to appellant's arguments appearing on page 14, with respect to dependent claim 9, wherein appellant argues that the Powell reference fails to teach or disclose a "generating column integrated scan data for at least one oblique scan through an obtained image, and performing a transformation thereon", the examiner respectfully disagrees as Powell describes in column 5, lines 29-36 which describes performing a transformation on the image irrespective of how the image is scanned. One of ordinary skill in the art would have knowledge that an image when it is scanned can be obliquely with respect to the scanned and therefore is scanned obliquely. In any event the manner in which the image is scanned is irrelevant as the image data is transformed by Powell. The manner in which the image is scanned, namely creating a column integrated scan data for at least on oblique scan through an obtained image as called for in the claimed invention was deemed obvious by the examiner as one of ordinary skill in the art would have been led in an obvious fashion to accommodate for scanning the image in the fashion called for in the claimed language.



Appellant's arguments with respect to claims 10-12, appearing on pages 14-15, are noted by the examiner, the examiner however respectfully disagrees. These dependent claims are merely calling for well known computations, i.e. power spectrum, low-pass filtering and spectral characteristics of an image, performed on an image which would be obvious variants of the computations performed by Powell, as these computations would be found in any early image processing book. As such this computations are deemed obvious variants of the computations performed by Powell which would have been obvious to one of ordinary skill in the art at the time the invention was made.

Appellant's arguments with respect to claims 13-15, appearing on pages 15-17, are noted by the examiner, the examiner however respectfully disagrees. Powell is clearly screening the obtained files, by detecting a pattern, to identify a subset thereof, and undertaking the decoding operation only for files in the subset, which is clearly illustrated in figure 2 and Powell is decoding by performing at least one statistical analysis which as clearly described in column 6, lines 18-43. Figure 2 shows a matrix which is iterated throughout the whole image, the matrix is the screening and is doing so for a subset of the whole image. Powell also describes performing "normalization of brightness, contrast and/or color of the subject image" all of which are statistical analysis of the image.

Applicant's arguments with respect to the claims, specifically claims 16-18, appear on pages 17-18. Applicant argues therein that neither Shear nor Powell teach automatic computer downloading of image or audio files, without specific human

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instruction of particular files to be downloaded (a computer would inherently provide for this limitation, but both Powell and Shear provide for this), the combination of the references teach the use of a registry database, and the method further includes obtaining additional data from the registry database by use of the reference, the additional data identifying the proprietor of the file from which the watermark data was decoded, and the combination of the references provide for generating reports relating to results of the monitoring, and sending the reports to the determined proprietors. The claims basically recite a first and second computer and a network, the claim language does not distinguish that the computers to be different nor where they are located. The combination of the two references clearly teach a first and second computer and a network. The combination of the references also teach a computer having a first memory storing data representing a plurality of creator identifiers and creator contact data corresponding to each of the creator identifiers, both Shear and Powell teach this. Shear clearly provides Index information, encrypted database information, resident database access, authority access, log-on completion time, identification to billing site (see figures 1-6). Powell teaches auditing a subject image to determine whether the subject image is derived from the signed image (column 2, lines 39-41) and does so by comparing digital images or subtracting one digital image from the other (column 6, lines 44-61). Shear clearly describes and illustrates a network for communicating the revealed on the plurality of identifiers to obtain contact information corresponding to the identifier (see figure 2-3 and 5).

Applicant's arguments with respect to the claims 19-21, appear on pages 19-21. Applicant argues therein that neither Shear nor Powell teach the claimed elements, the examiner respectfully disagree. The claims basically recite a first and second computer and a network, the claim language does not distinguish that the computers to be different nor where they are located. The combination of the two references clearly teach a first and second computer and a network. The combination of the references also teach a computer having a first memory storing data representing a plurality of creator identifiers and creator contact data corresponding to each of the creator identifiers, both Shear and Powell teach this. Shear clearly provides Index information, encrypted database information, resident database access, authority access, log-on completion time, identification to billing site (see figures 1-6). Powell teaches auditing a subject image to determine whether the subject image is derived from the signed image (column 2, lines 39-41) and does so by comparing digital images or subtracting one digital image from the other (column 6, lines 44-61). Shear clearly describes and illustrates a network for communicating the revealed on the plurality of identifiers to obtain contact information corresponding to the identifier (see figure 2-3 and 5). The examiner notes that the claimed language recitation of "watermark" is so broad and sweeping of various technologies that it is used primarily in the field of banknotes or paper currency. The examiner would like to point out that Appellant has submitted an exhibit which defines digital watermarks "as commercial applications of steganography and may be used to trace, identify, and locate digital media across networks". The exhibit also defines steganography as "the hiding of secret messages within another

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seemingly innocuous message, or carrier". Powell describes using digital embedded signatures which are imperceptible to the human eye. These digital embedded signatures are used for auditing a subject image to determine whether the subject image is derived from the signed image. For all intent and purposes the digital embedded signature is exactly the same as the digital embedded watermark and certainly reasonably and properly encompasses steganographically embedded data". Furthermore, Applicant's arguments on pages 20-22, are noted, however the combination of the references does indeed suggest to one of ordinary skill in the art the claimed limitation. Powell digital signature can include anything within it, and Shear has various on-line vendors which are identified, one of ordinary skill in the art would take such teaching to modify the combination accordingly. The Powell digital signature can include anything within it, and Shear has various on-line vendors which are identified, one of ordinary skill in the art would take such teaching to modify the combination accordingly. The examiner has reviewed and understands the legal cases cited by applicant, never-the-less the examiner feels that the rejection is both proper and reasonable. Specifically the examiner would like to point out that "the test for combining references is not what the individual references themselves suggest but rather what the combination of the disclosures taken as a whole would suggest to one of ordinary skill in the art" see In re McLaughlin, 170 USPQ 209 (CCPA) 1971. In the present case Powell clearly teaches that he is downloading an image from a remote site. While Powell does not specifically teach that the system is obtaining audio or image files from plural different Internet sites, the Powell system clearly infers that if the system obtains an

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image from one remote site at a certain time, then at a later time he can obtain another image from another remote site. While this alone may have been carried out by the single Powell reference, the examiner relied on a secondary reference, namely Shear, to show a system obtaining audio or image files from plural different Internet sites. Given these the teachings of the two references one of ordinary skill in the art at the time the invention was made would have been led in an obvious fashion to provide for this specific limitation in the Powell system.

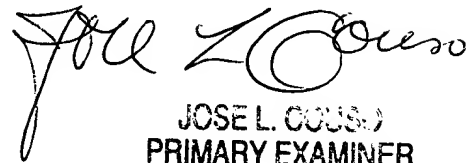
Furthermore, appellant's assertion that "the cited reference does not identify the problems solved by this invention" and "that the prior art teaches away from applicant's claimed invention", the examiner respectfully disagrees. The examiner will like to point out that "one cannot show non-obviousness by attacking references individually, where as here the rejections are based on combinations of references. See In re Keller, 208 USPQ 871 (CCPA 1981).

For the above reasons, it is believed that the rejections should be sustained.

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Page 21

Respectfully submitted,


  
JOSE L. COUSO  
PRIMARY EXAMINER

JLC  
July 19, 2001

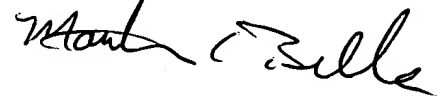
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